

(2) When the contracting officer knows that the items being acquired do not require precious metals in their manufacture; or

(3) For acquisitions at or below the simplified acquisition threshold.

(b) To make the determination in paragraph (a)(1) of this section, the contracting officer shall consult with the end item inventory manager and comply with the procedures in Chapter X, DoD 4160.21–M, Defense Utilization and Disposal Manual.

[56 FR 36306, July 31, 1991, as amended at 64 FR 2596, Jan. 15, 1999]

PART 209—CONTRACTOR QUALIFICATIONS

Subpart 209.1—Responsible Prospective Contractors

Sec.

209.101 Definitions.

209.103 Policy.

209.103–70 Contract clause.

209.104 Standards.

209.104–1 General standards.

209.104–4 Subcontractor responsibility.

209.104–70 Solicitation provisions.

209.106 Preaward surveys.

209.106–1 Conditions for preaward surveys.

209.106–2 Requests for preaward surveys.

Subpart 209.2—Qualifications Requirements

209.202 Policy.

Subpart 209.3—First Article Testing and Approval

209.303 Use.

209.305 Risk.

209.306 Solicitation requirements.

209.308 Contract clauses.

Subpart 209.4—Debarment, Suspension, and Ineligibility

209.402 Policy.

209.403 Definitions.

209.405 Effect of listing.

209.405–1 Continuation of current contracts.

209.405–2 Restrictions on subcontracting.

209.406 Debarment.

209.406–1 General.

209.406–2 Causes for debarment.

209.406–3 Procedures.

209.409 Solicitation provision and contract clause.

209.470 Military recruiting on campus.

209.470–1 Policy.

209.470–2 Procedures.

209.470–3 Contract clause.

209.471 Congressional Medal of Honor.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

SOURCE: 56 FR 36313, July 31, 1991, unless otherwise noted.

Subpart 209.1—Responsible Prospective Contractors

209.101 Definitions.

“Entity controlled by a foreign government,” “foreign government,” and “proscribed information,” are defined in the provision at 252.209–7002, Disclosure of Ownership or Control by a Foreign Government.

[59 FR 51132, Oct. 7, 1994]

209.103 Policy.

(a)(i) Do not deny award to contractors subject to on-site inspection under the Intermediate-Range Nuclear Forces (INF) Treaty, or similar treaty, due to the actual or potential presence of Soviet inspectors at the contractor's facility unless—

(A) Necessary for reasons of national security;

(B) The decision is based on full information, including comment from the potential contractor or subcontractor on the security issues involved; and

(C) The department or agency acquisition executive reviews the decision and the Under Secretary of Defense (Acquisition & Technology) approves the decision.

(ii) Make any decision to deny consideration for award under paragraph (a)(i) of this section as early as possible in the acquisition process. Notify the firm in writing of any decision not to consider the firm for award of a contract or subcontract.

(c) The additional cost of contract administration and audit due to a contractor's performance risk may be considered in evaluating the contractor's price.

[56 FR 36313, July 31, 1991, as amended at 60 FR 29497, June 5, 1995; 61 FR 50452, Sept. 26, 1996]

209.103–70 Contract clause.

Use the clause at 252.209–7000, Acquisition from Subcontractors Subject to